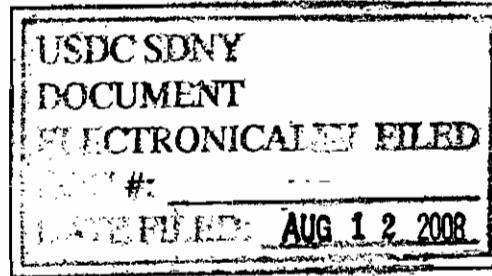


Swain

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



ROBERT MORGALO

Plaintiff,

CIVIL NO. 08-4079 (LTS)

v.

RUBEN BLADES and
RUBEN BLADES PRODUCTIONS, INC.

Defendants,

JOINT STIPULATION TO TRANSFER THIS ACTION PURSUANT TO 28 U.S.C.
§1404 TO THE DISTRICT OF PUERTO RICO TO BE CONSOLIDATED WITH
CASE NO. 07-1380 (JAG) (JA)

TO THE HONORABLE JUDGE OF SAID COURT:

IT IS HEREBY STIPULATED by and between counsel for Plaintiff, Robert Morgalo ("Plaintiff") and Defendants Ruben Blades and Ruben Blades Productions, Inc. ("Defendants"), subject to the approval of the Court, as follows:

1. On May 1, 2008, Plaintiff filed his Complaint in this action for defamation under the Court's diversity jurisdiction.

2. A prior civil action was filed on May 4, 2007 in the United States District Court for the District of Puerto Rico (the "Puerto Rico action") under Case Number 07-1380 (JAG) (JA) involving common questions of law or fact. The two cases are related in that, in the Puerto Rico action Blades alleges that Morgalo is liable, among other counts, for breach of contract

and breach of fiduciary duties for misappropriating or converting money owed to Blades from a concert held in Puerto Rico in 2003, and in the instant action Morgalo alleges that Blades' allegations to that effect are false and that Blades' extra-judicial accusations to that effect constitute defamation. Moreover, the two cases involve some of the same parties, and much common documentary and testimonial evidence.

3. 28 U.S.C. §1404(a) governs the transfer of actions in federal courts to other venues. It states in relevant part:

For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.

28 U.S.C. 1404(a) (2008).

4. Neither Plaintiff nor Defendants are residents of this District. Furthermore, a Cross-Claim and Amended Cross Claim have been filed against Plaintiff herein by Defendant Blades in the Puerto Rico action and a full and final decision on the merits of this action as well as the claims already initiated and pending in the Puerto Rico action would be facilitated by allowing the transfer of this case for consolidation with the Puerto Rico action.

5. Rule 42(a) of the Federal Rules of Civil Procedure provides that:

"(a) Consolidation.

If actions before the court involve a common question of law or fact, the court may:

- (1) join for hearing or trial any or all matters at issue in the actions;
- (2) consolidate the actions; or
- (3) issue any other orders to avoid unnecessary cost or delay."

Fed.R.Civ.P. 42(a) (2008).

6. In the interests of efficiency and judicial economy the Parties hereby stipulate and request the transfer of this action to the District of Puerto Rico to be consolidated with the Puerto Rico action.

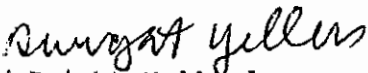
7. The Parties further agree that the cases shall be consolidated for all purposes including trial, it being understood that consolidation does not mean that the cases are merged into one. Separate judgments shall be entered in each case.

8. Execution and Counterparts. Subject to the Court's approval, this Stipulation may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one instrument. Any signature page of any such counterpart, or any electronic

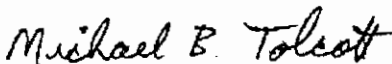
facsimile thereof, may be attached or appended to any other counterpart to complete a fully executed counterpart of this Stipulation.

THE PARTIES HERETO AGREE TO BE BOUND BY THIS STIPULATION:

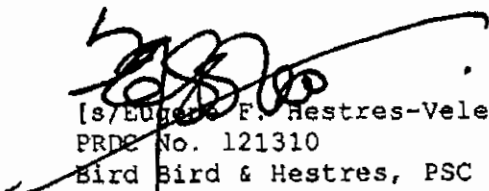
Dated: 7/31/08


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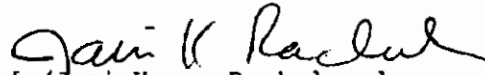

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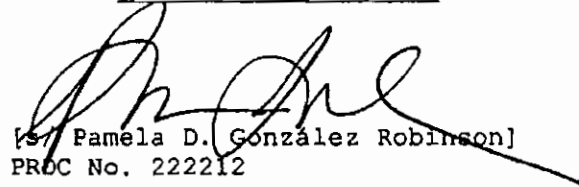
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[s/ Pamela D. González Robinson]

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for The application for transfer is hereby granted. The consolidation requests shall be taken up with the District of Puerto Rico. The Clerk of Court is respectfully requested to effectuate the prompt transfer of this case.

APPROVED AND SO ORDERED:

Date:

8/11/08


U.S. JUDGE